

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re: AMADO A. RODRIGUEZ

Case No.: 18-19373-RG

Chapter: 7

Judge: Rosemary Gambardella

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

David Wolff, Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk:

United States Bankruptcy Court
50 Walnut Street
3rd Floor
Newark, NJ 07102

If an objection is filed, a hearing will be held before the Honorable Rosemary Gambardella on December 18, 2018 at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. 3E, (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of Action:

The Trustee, via his counsel, has asserted a claim for the bankruptcy estate's net equity interest in a business owned 100% by the debtor, El Mercadito Frutas Y Mas Corp, a retail produce store. In 2017 the company had gross revenue of approximately \$290,000. The debtor has asserted several defenses, including debts against the business (which will remain in full force and effect), limited net cash flow, and potential difficulties in selling the business. Trustee's counsel has reviewed discovery provided by debtor's counsel, including but not limited to respective years of individual and corporate tax returns.

Pertinent terms of settlement:

In lieu of engaging in time-consuming and cost-consuming additional discovery and likely protracted litigation, the parties have reached a resolution. The debtor shall remit the aggregate amount of \$9,000 ("Settlement Amount") to the bankruptcy estate as follows: a lump sum of \$4,500 on or before December 7, 2018, and twelve monthly payments of \$375 each, commencing January 1, 2019 and continuing through December 1, 2019.

In consideration for timely receipt of the Settlement Amount, the Trustee shall release all claims against the debtor's business and the debtor, and the debtor's business and debtor shall similarly waive all claims against the bankruptcy estate and Trustee.

If the debtor defaults under the terms of this full settlement, the Trustee shall be entitled to immediate entry of a default judgment against El Mercadito Frutas Y Mas Corp and the debtor, jointly and severally, in the amount of \$13,500, less any amounts paid. The Trustee shall have the legal right to sell or liquidate the business and personal property of the debtor until the full default amount has been collected.

Objections must be served on, and requests for additional information directed to:

Name: David Wolff, Esq.
Address: 396 Route 34, Matawan, New Jersey 07747
Telephone No.: (732) 566-1189

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New JerseyIn re:
Amado A. Rodriguez
DebtorCase No. 18-19373-RG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf905Page 1 of 1
Total Noticed: 13

Date Rcvd: Nov 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2018.

db +Amado A. Rodriguez, 65 N 10th St., Paterson, NJ 07522-1113
 aty +David Wolff LLC, Law Offices of David Wolff LLC, 396 Route 34, Matawan, NJ 07747-7115
 aty +Law Offices of David Wolff LLC, 396 Route 34, Matawan, NJ 07747-7115
 517519372 +Chase Card Services, Correspondence Dept., Po Box 15298, Wilmington, DE 19850-5298
 517519373 +Convergent Outsourcing, Inc., Po Box 9004, Renton, WA 98057-9004
 517804172 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company LLC, Dept. 55953, PO Box 55000, Detroit, MI. 48255-0953)
 517519375 +Fay Servicing Llc, 440 S La Salle St Ste 20, Chicago, IL 60605-5011
 517519376 +Lincoln Automotive Financial Service, Attn: Bankruptcy, Po Box 542000, Omaha, NE 68154-8000
 517519377 ++WELLS FARGO BANK NA, 1 HOME CAMPUS, MAC X2303-01A, DES MOINES IA 50328-0001
 (address filed with court: Wells Fargo Bank, Attn: Bankruptcy Dept, Po Box 6429, Greenville, SC 29606)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 21 2018 00:16:19 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Nov 21 2018 00:16:15 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 517519374 +E-mail/Text: bknotice@ercbpo.com Nov 21 2018 00:16:24 ERC/Enhanced Recovery Corp, Attn: Bankruptcy, 8014 Bayberry Road, Jacksonville, FL 32256-7412
 517797006 +E-mail/PDF: EBN_AIS@AMERICANINFO SOURCE.COM Nov 21 2018 00:22:03 T Mobile/T-Mobile USA Inc, by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 TOTAL: 4

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked ''+'' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 19, 2018 at the address(es) listed below:

David Wolff dwtrustee@verizon.net, NJ50@ecfcbis.com
 David Wolff on behalf of Attorney Law Offices of David Wolff LLC dwtrustee@verizon.net, NJ50@ecfcbis.com
 Denise E. Carlon on behalf of Creditor PROF-2013-S3 Legal Title Trust II, by U.S. Bank National Association, as Legal Title Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Paola D. Vera on behalf of Debtor Amado A. Rodriguez pvera@cabanillaslaw.com, bankruptcyc@cabanillaslaw.com; r64840@notify.bestcase.com
 Rebecca Ann Solarz on behalf of Creditor PROF-2013-S3 Legal Title Trust II, by U.S. Bank National Association, as Legal Title Trustee rsolarz@kmlawgroup.com
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 6